SERGIO PEREZ  
Director of Enforcement  
Los Angeles City Ethics Commission  
200 North Spring Street  
City Hall, 24th Floor  
Los Angeles CA 90012  
(213) 978-1960

Complainant

BEFORE THE LOS ANGELES CITY ETHICS COMMISSION

In the Matter of:  
MARIE RUMSEY;  
Respondent.  

Case No. 2016-13  

STIPULATION AND ORDER

The complainant, Sergio Perez, Director of Enforcement of the Los Angeles City Ethics Commission (the Ethics Commission), and Marie Rumsey (the Respondent) agree to the following:

1. This stipulation will be submitted to the members of the Ethics Commission for consideration at their next meeting.

2. If approved by the Ethics Commission members, this stipulation and the accompanying order will be the final disposition of this matter with respect to the Respondent.

3. The Respondent understands and knowingly and voluntarily waives all procedural rights under Los Angeles City Charter (Charter) §§ 706 and 709 and Los Angeles Administrative Code §§ 24.26 and 24.27. These rights include but are not limited to receiving an accusation, having the Ethics Commission members or an impartial administrative law judge hear the matter, personally appearing at an administrative hearing, confronting and cross-examining witnesses testifying at a hearing, and subpoenaing witnesses to testify at a hearing.

4. The Respondent understands and knowingly and voluntarily waives all rights to seek judicial review of any action by the Ethics Commission on this matter.

5. The exhibit that is attached and incorporated by reference is a true and accurate summary of the facts in this matter. The Respondent the Los Angeles Municipal Code as described in the Exhibit.

6. The Respondent will pay a total penalty in the amount of $7,125 in the form of a cashier’s check payable to the “General Fund of the City of Los Angeles.” The payment will be
held by the Ethics Commission staff until the Ethics Commission members issue the order in this matter.

7. If the Ethics Commission members refuse to accept this stipulation, it will become null and void. Within ten business days after the Ethics Commission meeting at which the stipulation is rejected, the Ethics Commission staff will return all payments tendered by the Respondent in connection with this stipulation.

8. If the Ethics Commission members reject the stipulation and a full evidentiary hearing becomes necessary, the stipulation and all references to it are inadmissible, and the Ethics Commission members, executive director, and staff will not be disqualified because of prior consideration of this stipulation.

DATED: 11-16-16

Sergio Perez, Director of Enforcement
Los Angeles City Ethics Commission
Complainant

DATED: 11-15-16

Marie Rumsey
Respondent
ORDER

The Los Angeles City Ethics Commission considered the stipulation in Case No. 2016-13 at its meeting on December 6, 2016. The members of the Ethics Commission approved the stipulation and order Marie Rumsey to pay a fine of $7,125 to the City of Los Angeles in accordance with the terms of the stipulation.

DATED: 12/6/16

BY: Serena Z. Oberstein, Vice President
Los Angeles City Ethics Commission
EXHIBIT

I. INTRODUCTION

Marie Rumsey (Rumsey) admits that she violated post-City employment restrictions. Rumsey received compensation from Central City Association (CCA) for a broad set of duties, including attempting to influence City action on behalf of another person within the 12 months after she left City service.

II. APPLICABLE LAW

To help ensure that government decisions are fair, equitable, and transparent, both current and former City officials and agency employees are subject to laws set forth in the Governmental Ethics Ordinance (GEO). Los Angeles Municipal Code (LAMC) §§ 49.5.1 et seq. For example, the GEO contains time-based restrictions on the activities of certain former City officials.

Former high-level City officials are barred, for one year after they leave City service, from receiving compensation for the purpose of attempting to influence City action on any matter pending before any agency on behalf of any person other than an agency. LAMC § 49.5.13(C)(1). This restriction applies to an individual who held a specific position, including Council Aide VII, during the 24 months preceding the official’s departure from City service. Id.

An “agency” is any City department, bureau, office, board, or commission that is required to adopt a conflict of interests code subject to City Council approval. LAMC § 49.5.2(A). For City Council staff members, their agency is the City Council. Id.

III. FACTS

Rumsey is a former City official who served the City in various positions from 2001 to 2014. She was required to file statements of economic interests pursuant to California’s Political Reform Act throughout her tenure with the City. See Cal. Gov’t Code §§ 87200-87210.

From 2001 to 2013, Rumsey served in the office of then-Councilmember Jan Perry, holding numerous positions, including legislative deputy and senior legislative deputy. Her final position before departing City service was Council Aide VII in Councilmember O’Farrell’s office. She served in that position from late 2013 through 2014, acting as the Councilmember’s Planning Director. In that role, she oversaw all planning issues within the district represented by Councilmember O’Farrell and served as his liaison between the City, developers, constituents, and other interests. She left City service on December 31, 2014.

On January 1, 2015, Rumsey joined CCA as the Director of Legislative Affairs. CCA is a membership organization representing the business interests of the Central Los Angeles area. As part of her new position, Rumsey registered as a lobbyist with the City on February 10, 2015, for the period of January 1 to December 31, 2015, and identified CCA as her employer. For each
of her quarterly filings in 2015, Rumsey disclosed that she lobbied various City agencies, including the City Council and the Planning Department.

In her role as Director of Legislative Affairs, Rumsey communicated with City officials and advocated for CCA’s positions on various issues, including but not limited to homelessness, street vending, trees, planning, and jobs in downtown Los Angeles.

Acting upon inaccurate advice from CCA’s former legal counsel, Rumsey mistakenly believed she could attempt to influence any City agency except Councilmember O’Farrell’s office.

In June and July of 2015, as indicated in her quarterly lobbying filings and her personal calendaring records, Rumsey appeared at public hearings, attended meetings, and exchanged written and telephonic correspondence with City officials, in attempts to influence the City Council and the Planning Department on matters that directly and indirectly affected CCA and its members. These activities were properly disclosed on CCA’s quarterly lobbying reports. During each of these quarters, Rumsey was compensated for a broad range of duties. Based on information reviewed by staff, Rumsey was compensated $4,750 by CCA for personally attempting to influence City action on any matter pending before any agency during June and July of 2015.

These attempts to influence took place within 12 months of Rumsey’s departure from City service.

III. VIOLATIONS

Rumsey admits that she violated City law as follows:

COUNTS 1-2:

RECEIVING COMPENSATION TO ATTEMPT TO INFLUENCE CITY ACTION WITHIN 12 MONTHS OF LEAVING CITY SERVICE

COUNT 1: Rumsey violated LAMC § 49.5.13(C)(1) on June 16, 2015, by receiving compensation for attempting to influence City Council action on behalf of CCA less than 12 months after leaving City service.

COUNT 2: Rumsey violated LAMC § 49.5.13(C)(1) on July 16, 2015, by receiving compensation for attempting to influence Planning Department action on behalf of CCA less than 12 months after leaving City service.

IV. PENALTY

Charter § 706(c)(3) establishes the penalty formula for administrative actions taken by the Ethics Commission. The maximum penalty is the greater of $5,000 per violation or three
times the amount that was improperly reported, contributed, spent, given, or received. In this case, the maximum penalty is $14,250 (3 x $ 4,750), the amount improperly received).

The Ethics Commission is required to consider all relevant circumstances before assessing penalties. Los Angeles Administrative Code § 24.27(f)(3)(A). In proposing the penalty in this case, staff noted the following mitigating circumstances: (1) Rumsey cooperated with Ethics Commission staff; (2) Rumsey saved Ethics Commission resources by entering into this stipulated settlement prior to a probable cause determination; (3) Rumsey has no prior enforcement history with the Ethics Commission; and (4) Rumsey’s filings accurately disclosed all agencies lobbied.

Based on the specific facts and mitigating factors in this case, staff proposes a $7,125.00 penalty. This penalty equals 50 percent of the maximum and is intended to reflect the serious nature of the violations while fostering cooperation with Ethics Commission investigations and the early resolution of violations.